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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,852	09/08/2003	Allen Herbert Fletchall		8592

7590

02/25/2005

Allen H. Fletchall  
2728 Leisure World  
Mesa, AZ 85206

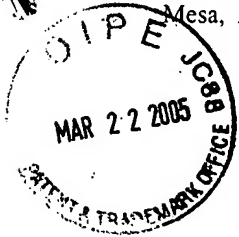
EXAMINER
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CHIN SHUE, ALVIN C

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 02/25/2005



Please find below and/or attached an Office communication concerning this application or proceeding.



**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.	Applicant(s)	
10/656,852	FLETCHALL, ALLEN HERBERT	
Examiner	Art Unit	
Alvin C. Chin-Shue	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 20 October 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☒ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: added limitations of an amended claims should be underlined and deleted limitations should be struck through.

SECOND NOTICE  
DIFFERS FROM  
FIRST NOTICE ?

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

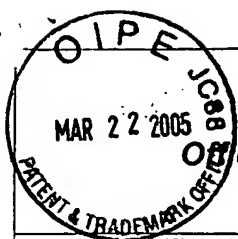
1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Alvin Chin-Shue  
Primary Examiner



# Office Action Summary

Application No.	Applicant(s)	
10/656,852	FLETCHALL, ALLEN HERBERT	
Examiner	Art Unit	
Alvin C. Chin-Shue	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

FIRST NOTICE DIFFERS FROM SECOND

- 1) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

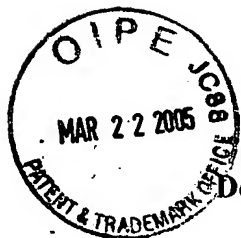
## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_



STATE BOARD OF HEALTH OF MISSOURI Bureau of Vital Statistics		DELAYED OR SPECIAL CERTIFICATE OF BIRTH		No. 105866
Name at birth Allen Herbert Fletchall		Date of birth Dec 29, 1926		
Color or race white Sex male Birthplace Grant City (City or Town) Worth (County) Missouri (State)				
Full name Delbert Earl Fletchall		Birthplace Missouri (State or County)		
Maiden name Matilda Evaline Sowards		Birthplace Missouri (State or County)		
AFFIDAVIT: I hereby declare upon oath that the above statements are true. (To be signed by registrant, if possible.)				
Signature Allen Herbert Fletchall		Relationship to registrant Self		
Address Grant City Missouri		Subscribed and sworn to before me on May 9, 1944		
Notary Public Geo Ball		For State of Mo County of Worth		
Do Not Write Below This Line ABSTRACT OF SUPPORTING EVIDENCE Do Not Write Below This Line				
NAME AND KIND OF DOCUMENT (INCLUDING BY WHOM ISSUED AND SIGNED, AND DATE OF ISSUE)				Date Original Document Was Made
Baptismal Record, Sgd. Raymond L. Rott, Pastor, Grant City, Worth Co. Mo. School Record, Sgd. W. W. Frazier, Supt.				Nov 8-1936
Supporting aff - by Matilda E. Fletchall				May 9-1944
INFORMATION CONCERNING REGISTRANT AS STATED IN DOCUMENT				
BIRTH DATE OR AGE	BIRTHPLACE	NAME OF FATHER	FULL NAME OF MOTHER	
Dec 29, 1926	Grant City, Mo	Delbert E. Fletchall	Matilda Evaline Fletchall	
Dec 29, 1926	Grant City, Mo			
Dec 29, 1926	Grant City, Mo			
Additional information:				
STATEMENT OF REVIEWING OFFICIAL				
I hereby certify that I have reviewed the evidence recorded above and that the information contained therein is as noted in the preceding abstract.				
Signature of Reviewing Official Matilda E. Fletchall		Date filed in State Board of Health JUN 21 1944		
STATE OF MISSOURI CITY OF JEFFERSON		I HEREBY CERTIFY that the above is a true and correct copy of the certificate for the named therein. The original record being filed in the Central Bureau of Vital Statistics of the State of Missouri is part of the permanent records of said bureau. WITNESS my hand as State Registrar of Vital Statistics and the Seal of the Missouri State Board of Health.		
JUN 22 1944		James Stewart Mo. State Registrar of Vital Statistics Per		

BEST AVAILABLE COPY



Dear Mr, Shue

I have been trying to write a claims for my patent application but donot understand exactly what is allowed or wanted therefore I am asking you to write it for me as allowed ( aprovision of the Manual of patents Examining Procedure Section707.07(j), states . I am truly sorry to be dependent on you for this service but it is the only way I know to get it done. Thank you for your service. I will be forever grateful for your kind deed.

Allen H, Fletchall  
2728 Luisure World  
Mesa ,Az.  
Allenandnannie@aol.com n

*ALL THE FEES ARE PAID*

*P.S. I AM 78 YRS. OLD IF THAT  
MAKES ANY DIFFERENCE TO YOU*

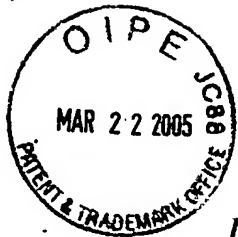


**FLETCHALL  
SAFETY LADDER**

**CLAIMS**

*I claim a ladder of this design is better for the user because of its important new features not yet on the market these features being as follows #1(the leveling apparatus on each individual leg that make it possible to level the ladder and make it sturdy #2(wider steps)( from front to back) is second in importance ,because it is much easier to stand on them for an extended length of time without tiring,#3(shorter distance between the steps makes it easier to navigate up and down#4(pullout drawer for storage for small things #5 ( a hinged fold out shelf ) # 6 ( two screwdriver hole # 7a(Hammer hole ) # 8 (a warning bell on next step from the bottom step warning there is another step below ,the ladder can be made of wood aluminml ,or a compesite materialsI*

*(( A complete safe ladder. ))*



**FLETCHALL  
SAFETY LADDER**

*I claim a ladder of this design is better for the user because of its important new  
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sturdy #2(wider steps) from front to back) is second in importance ,because it is much  
easier to stand on them for an extended length of time without tiring,#3(shorter  
distance between the steps makes it easier to navigate up and down# 4 (pullout drawer  
for storage for small things #5 ( a hinged fold out shelf) # 6 ( two screwdriver hole  
#7a(Hammer hole ) # 8 (a warning bell on next step from the bottom step warning  
makes*

*Telling there is one more step*

*(( A complete safe ladder. ))*



### ABSTRACT

A ladder that is more user friendly than the arts that are on the market today. This is accomplished by moving the legs of the ladders closer together than present day ladders, and by putting a warning bell on the second step from the bottom warning there is another step below before landing on a solid surface. Adjustable legs are a new feature in this new art of modern ladders. This eliminates time spent looking for a block or another object to put under the leg. Thus saving time.

Having the steps closer together makes it easier for the elderly and people with shorter legs to assend and desend the ladder.